REMARKS

Claims 1-18 and 20-29 are pending in the present application. Claims 1-8, 13-18, and 23-29 are withdrawn from consideration. Claim 21 is amended to correct a typographical error. Reconsideration of the claims is respectfully requested.

I. Interview Summary

Applicants thank LaShonda Jacobs and Moustafa Meky for the courtesies extended in the telephone interview on December 14, 2004. Applicants argued the proposed combination of *Gossling et al.* in view of *Aggarwal et al.* and *Riggins*. Examiner Moustafa Meky indicated that, upon filing an official response, the rejection will be withdrawn and that further search and consideration will be conducted. The substance of the telephone interview is summarized in the following remarks.

II. 35 U.S.C. § 103, Obviousness

The Office Action rejects claims 9-12 and 20-22 under 35 U.S.C. § 103 as being allegedly unpatentable over *Gosling et al.* (EP 0810524) in view of *Aggarwal et al.* (U.S. Patent No. 5,924,116) and *Riggins* (U.S. Patent No. 6,766,454). This rejection is respectfully traversed.

Gosling teaches an apparatus and method for processing servlets in which a specified servlet object corresponding to a request may be uploaded from a remote server to the server receiving the request. The specified servlet object is then executed to obtain dynamically generated information corresponding to the request. See *Gosling*, page 2, lines 29-34. *Gosling* states:

> A server administrator may specify that part of the client request is the name of the servlet, as found in an administered servlets directory. At many sites, that directory would be shared between servers which share the load of processing for the site's clients. Some servers may be able to automatically invoke servlets to filter the output of other servlets, based on their administrative configuration. For example, particular types of servlet output may trigger post-processing by other servlets, perhaps to perform format conversions. Properly authorized clients may specify the servlet to be invoked, without administrative intervention.

Gosling, page 4, lines 10-15. Thus, in *Gosling*, a client request may specify a servlet to provide output for a request. At best, *Gosling* teaches that a request may specify a servlet to provide dynamically created output.

In contradistinction, the presently claimed invention provides a server that may receive a request from a client and upload, from the client, a code module that may be used to respond to the request. The code module is signed at the client using a key and the signed code module is authenticated at the server. The Final Office Action acknowledges that *Gosling* does not teach uploading a servlet from the client to the server. However, the Final Office Action alleges that *Aggarwal* teaches this feature.

Aggarwal teaches caching of objects at levels in a proxy hierarchy. See *Aggarwal*, Abstract. *Aggarwal* also teaches that servlets from client cache may be used to upload program code to a server. The servlet's code may then be instantiated and executed at the server. See *Aggarwal*, col. 5, lines 14-21. However, *Aggarwal* does not teach or suggest that the servlet is identified in a request from the client, as recited in claim 9, for example. Furthermore, *Aggarwal* does not teach or suggest that the code module, the servlet, is signed with a key at the client or that the signed code module is authenticated at the server, as recited in claim 9, as amended. *Aggarwal* merely teaches caching objects at a client or proxy server and that the objects may include content, such as images or web pages, applets, or servlets. There is no suggestion in *Aggarwal* or *Gosling* of signing a code module at a client using a key and uploading the signed code module to a server to be installed and executed to respond to a client request.

The Final Office Action acknowledges that neither *Gosling* nor *Aggarwal* teaches or suggests uploading a code module from a client to a server, wherein the code module is signed with a key at the client, and verifying the authenticity of the signed code module, as recited in claim 9, for example. However, the Final Office Action alleges that signing code modules at a client and verifying the authenticity of a signed code module are well known in the art as evidenced by *Riggins*.

Riggins teaches a system and method for using an authentication applet to identify and authenticate a user in a computer network. The Final Office Action cites *Riggins* as teaching "editing webpage content, wherein said webpage content is in accordance with template rules defined by table structure" at col. 2, lines 3-26 and 37-54; col. 4, lines 6-

67; and, col. 5, lines 1-4. It is unclear how editing webpage content relates to uploading a code module from a client to a server, wherein the code module is signed with a key at the client, and verifying the authenticity of the signed code module. The Final Office Action does not proffer any explanation as to why editing webpage content is somehow equivalent to uploading a code module that is signed with a key at a client.

Nonetheless, in the numerous and lengthy cited passages, *Riggins* does generally teach public/private key encryption, digital signatures, digital certificates, and other basic concepts. However, *Gosling* and *Aggarwal*, taken alone or in combination, do not present a problem for which this general teaching of public/private key encryption and digital signatures or certificates would be a solution. Therefore, there is no suggestion or motivation in the prior art for the combination. The Final Office Action alleges that a person of ordinary skill in the art would have found it obvious to combine *Gosling*, *Aggarwal*, and *Riggins* "in order to provide a user/client access to and control of services." Applicants respectfully disagree. *Gosling* alone provides a user/client access to and control of services. The Office Action may not use the claimed invention as an "instruction manual" or "template" to piece together the teachings of the prior art so that the invention is rendered obvious. See *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992). Such reliance is an impermissible use of hindsight with the benefit of applicant's disclosure. *Id.* Therefore, absent some teaching, suggestion, or incentive in the prior art, *Gosling*, *Aggarwal*, and *Riggins* cannot be properly combined to form the claimed invention. As a result, absent any teaching, suggestion, or incentive from the prior art to make the proposed combination, the presently claimed invention can be reached only through impermissible use of hindsight with the benefit of Applicants' disclosure a model for the needed changes.

The applied references, taken individually or in combination, fail to teach or suggest each and every claim limitation and no motivation exists in the prior art for the combination. Therefore, the proposed combination of *Gosling*, *Aggarwal*, and *Riggins* does not render claim 9 obvious. Independent claim 20 recites subject matter addressed above with respect to claim 9 and is allowable for the same reasons. Since claims 10-12, 21, and 22 depend from claims 9 and 20, the same distinctions between *Gosling*,

Aggarwal, and *Riggins* and the invention recited in claims 9 and 20 apply for these claims.

Therefore, Applicants respectfully request withdrawal of the rejection of claims 9-12 and 20-22 under 35 U.S.C. § 103.

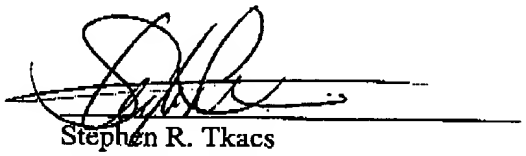
III. Conclusion

It is respectfully urged that the subject application is patentable over the prior art of record and is now in condition for allowance.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: February 16, 2005

Respectfully submitted,



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